

1984 WL 249972 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

August 31, 1984

***1** The Honorable James J. Reid
Chairman
South Carolina Industrial Commission
1800 St. Julian Place
Columbia, South Carolina 29204

Dear Commissioner Reid:

In response to your inquiry whether a Legislative Committee is an 'interested party' pursuant to [Section 42-19-40 of the Code](#), I enclose a copy of the Supreme Court case, [Blue Cross and Blue Shield v. South Carolina Industrial Commission](#), 274 S.C. 204, 208, 262 S.E.2d 37 (1980). In [Blue Cross](#), the Court stated that the Industrial Commission had 'properly interpreted the term 'parties' as referring to employees and employers.' Under the Court's interpretation then it is evident that a Legislative Committee is not a 'party.'

If the Commission is desirous of providing the Legislative Committee with access to any or all of its records 'in so far as they refer to accidents, injuries and settlements,' a simple way to do this is to seek amendment of [Section 42-19-40](#) at the earliest possible date. Alternatively the Legislature, through an appropriate resolution, could provide the investigative committee with subpoena power which would enable the procurement of these files.

Sincerely yours,

Edwin E. Evans
Senior Assistant Attorney General

1984 WL 249972 (S.C.A.G.)

End of Document

© 2015 Thomson Reuters. No claim to original U.S. Government Works.